

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 02-662
v.	:	DATE FILED: _____
DOUGLAS EDWARDS	:	18 U.S.C. §§ 922(g)(1) and 924(e)
and	:	(Possession of a firearm by a convicted
COBREN HOOPER,	:	felon – 1 Count)
a/k/a “Cole”	:	18 U.S.C. §371
	:	(Conspiracy to obstruct justice and
	:	to tamper with a witness – 1 Count)
	:	18 U.S.C. §1503
	:	(Obstruction of justice - 1 Count)
	:	18 U.S.C. §1512
	:	(Witness tampering - 1 Count)
	:	18 U.S.C. §2
	:	(Aiding and abetting)
	:	Notice of Forfeiture
	:	Notice of Prior Convictions

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about March 24, 1999, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

DOUGLAS EDWARDS

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce, a firearm, that is, a Makarov 9 MM Model 59 handgun, serial #B10267.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. In or about September, 2002, and October, 2002, the Federal Grand Jury for the Eastern District of Pennsylvania was conducting a criminal investigation of defendant DOUGLAS EDWARDS. The grand jury was investigating, among other things, whether EDWARDS knowingly possessed a Makarov 9 MM Model 59 handgun, serial #B10267, recovered by Philadelphia police from the car that EDWARDS was driving on March 24, 1999.

2. D.M., a person known to the grand jury, was a witness in EDWARDS' case. On or about March 24, 1999, D.M. told police that EDWARDS had assaulted her and that he had a gun. D.M. provided a description of EDWARDS and the car that he was driving, and told police that EDWARDS carried the gun on his hip, and sometimes kept the gun underneath the dashboard of his car, near the steering wheel. After EDWARDS was apprehended, D.M. and police went to EDWARDS' car and found the gun in exactly the spot described by D.M.

3. In or about September, 2002 and October, 2002, Special Agent Eric Poole attempted to serve D.M. with a grand jury subpoena.

4. Defendants EDWARDS and COBREN HOOPER, a/k/a "Cole," were persons who had known one another for many years.

5. In 1997, D.M. and other witnesses testified falsely on EDWARDS' behalf at a trial in Dauphin County, Pennsylvania. EDWARDS was acquitted. In 1999, D.M. repeatedly failed to appear in court in Philadelphia County in connection with the March 23, 1999 assault against her by EDWARDS. The charges were withdrawn.

6. From in or about September, 2002 to in or about October, 2002, at Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendants

DOUGLAS EDWARDS
and
COBREN HOOPER
a/k/a "Cole,"

conspired and agreed, together and with others known and unknown to the grand jury, to commit an offense against the United States, that is, first, to corruptly endeavor to influence, obstruct, and impede the due administration of justice, that is, the pending Federal Grand Jury investigation of EDWARDS' possession of the 9 mm Makarov semiautomatic handgun, in violation of Title 18, United States Code, Section 1503; and second, to knowingly attempt to intimidate, threaten and corruptly persuade D.M., with the intent to influence, delay and prevent her testimony in an official proceeding, in violation of Title 18, United States Code, Section 1512(b)(1).

MANNER AND MEANS

7. It was part of the conspiracy that EDWARDS attempted to speak with D.M. directly and sent his friend HOOPER to speak with D.M. on his behalf, to persuade D.M. to fail to appear before the grand jury; to go court and falsely state that she had put the gun in EDWARDS' car; to falsely testify that the police searched his car but did not find any gun; and to falsely testify that the police found her and she gave them the gun.

OVERT ACTS

In furtherance of the conspiracy, defendants EDWARDS and HOOPER, and others known to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

8. On or about September 20, 2002, EDWARDS called his wife and asked her for HOOPER's cell phone number "Cause I need him to take care of a couple of things right away."

9. On or about September 20, 2002, EDWARDS called his mother and asked her for D.M.'s phone number and address.

10. On or about September 21, 2002, EDWARDS told his wife to tell HOOPER to call D.M. so D.M. could talk to EDWARDS' lawyer.

11. Between September 18, 2002 and September 22, 2002, at EDWARDS' direction, HOOPER met with D.M. HOOPER told D.M. that EDWARDS said she should not talk to the grand jury, because if she talked to the grand jury, whenever EDWARDS got out of prison he would kill her. HOOPER also told D.M. that EDWARDS said that she should tell authorities that the gun was not EDWARDS'.

12. On or about September 22, 2002, EDWARDS spoke with HOOPER and told him to tell D.M. "to do what she got to do." Later in the conversation, EDWARDS told HOOPER, "Tell her it ain't nothing now but if she go ahead and play a tough role it's gonna escalate to be something else."

13. On or about September 24, 2002, EDWARDS called his mother and told her to tell D.M. to do “the same thing she did in court when she went the first time. When they threw the case out against me. That’s all she got to do again.”

14. On or about October 1, 2002, EDWARDS told his daughter Tasha that he needed to talk to D.M. “Cause you know that’s my only ticket for me to come back home.”

All in violation of Title 18, United States Code, Section 371.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 14 of Count Two are incorporated here.

2. From in or about September, 2002, to on or about October 1, 2002, in the Eastern District of Pennsylvania, defendants

DOUGLAS EDWARDS

and

COBREN HOOPER,

a/k/a "Cole,"

corruptly endeavored, and aided and abetted the corrupt endeavor, to influence, obstruct, and impede the due administration of justice, that is, the pending Federal Grand Jury investigation of EDWARDS' possession of the 9 mm Makarov semiautomatic handgun, by attempting to convince D.M. not to testify before the grand jury and to testify falsely about the gun.

In violation of Title 18, United States Code, Sections 1503 and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 14 of Count Two are incorporated here.

2. From in or about September, 2002 to on or about October 1, 2002, at Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendants

DOUGLAS EDWARDS
and
COBREN HOOPER,
a/k/a "Cole,"

knowingly attempted, and aided and abetted the knowing attempt, to intimidate, threaten and corruptly persuade D.M., with the intent to influence, delay and prevent her testimony in an official proceeding.

In violation of Title 18, United States Code, Sections 1512(b)(1) and 2.

NOTICE OF PRIOR CONVICTIONS

THE GRAND JURY FURTHER CHARGES THAT:

Defendant DOUGLAS EDWARDS committed the offense charged in Count One of this Indictment after having been convicted in a court of the Commonwealth of Pennsylvania of two serious drug offenses, and one violent felony, as follows:

(1) On or about March 30, 1990, in the Philadelphia Court of Common Pleas, in Philadelphia, Pennsylvania, EDWARDS was adjudged guilty of manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance, in violation of Title 35 Pa. C.S.A. § 780-113(a)(30), a felony drug offense. (DC 87-35-01446; CP 88-03-1990)

(2) On or about July 24, 1989, in the Philadelphia Court of Common Pleas, in Philadelphia, Pennsylvania, EDWARDS was adjudged guilty of manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance, in violation of Title 35 Pa. C.S.A. § 780-113(a)(30), a felony drug offense (DC 88-35-01491; CP 88-12-1870-1871)

(3) On or about January 18, 1990, in the Court of Common Pleas of Montgomery County, EDWARDS was adjudged guilty of aggravated assault (F-2), in violation of 18 Pa. C.S.A. § 2702, a violent felony. (No. 1952-89, Montgomery County)

NOTICE OF FORFEITURE

1. As a result of the violation of Title 18, United States Code, Sections 922(g)(1) and 924(e), set forth in Count One of this Indictment, the defendant

DOUGLAS EDWARDS

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. §2461(c), all firearms and ammunition involved in the commission of this offenses, including but not limited to the Makarov 9 MM Model 59 handgun, serial #B10267, and eight live rounds of ammunition, seized incident to defendant's arrest.

All pursuant to Title 28, United States Code, Section 2461(c) and 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney